

## U.S. Patent and Trademark Office, Commerce

**§ 1.446**

### **§ 1.438 The abstract.**

(a) Requirements as to the content and form of the abstract are set forth in PCT Rule 8, and shall be adhered to.

(b) Lack of an abstract upon filing of an international application will not affect the granting of a filing date. However, failure to furnish an abstract within one month from the date of the notification by the Receiving Office will result in the international application being declared withdrawn.

#### FEES

### **§ 1.445 International application filing, processing and search fees.**

(a) The following fees and charges for international applications are established by law or by the Director under the authority of 35 U.S.C. 376:

(1) A transmittal fee (*see* 35 U.S.C. 361(d) and PCT Rule 14) consisting of:

(i) A basic portion:

(A) For an international application having a receipt date that is on or after January 1, 2014:

By a micro entity (\$1.29) .....	\$60.00
By a small entity (\$1.27(a)) .....	\$120.00
By other than a small or micro entity .....	\$240.00

(B) For an international application having a receipt date that is before January 1, 2014 .....

\$240.00

(ii) A non-electronic filing fee portion for any international application designating the United States of America that is filed on or after November 15, 2011, other than by the Office electronic filing system, except for a plant application:

By a small entity (\$1.27(a)) .....	\$200.00
By other than a small entity .....	\$400.00

(2) A search fee (*see* 35 U.S.C. 361(d) and PCT Rule 16):

(i) For an international application having a receipt date that is on or after January 1, 2014:

By a micro entity (\$1.29) .....	\$520.00
By a small entity (\$1.27(a)) .....	\$1,040.00
By other than a small or micro entity .....	\$2,080.00

(ii) For an international application having a receipt date that is before January 1, 2014 .....

\$2,080.00

(3) A supplemental search fee when required, per additional invention:

(i) For an international application having a receipt date that is on or after January 1, 2014:

By a micro entity (\$1.29) .....	\$520.00
By a small entity (\$1.27(a)) .....	\$1,040.00
By other than a small or micro entity .....	\$2,080.00

(ii) For an international application having a receipt date that is before January 1, 2014 .....

\$2,080.00

(4) A fee equivalent to the transmittal fee in paragraph (a)(1) of this section that would apply if the USPTO was the Receiving Office for transmittal of an international application to the International Bureau for processing in its capacity as a Receiving Office (PCT Rule 19.4).

(b) The international filing fee shall be as prescribed in PCT Rule 15.

[78 FR 17107, Mar. 20, 2013]

### **§ 1.446 Refund of international application filing and processing fees.**

(a) Money paid for international application fees, where paid by actual mistake or in excess, such as a payment not required by law or treaty and its regulations, may be refunded. A mere change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested and will not notify the payor of such amounts. If the payor or party requesting a refund does not provide the banking information necessary for making refunds by electronic funds